

AMENDED IN SENATE JUNE 8, 2000
AMENDED IN ASSEMBLY APRIL 12, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2749

**Introduced by Assembly Member Pescetti
(Coauthor: Assembly Member Granlund)**

February 25, 2000

An act to amend Sections 7235 and 7236 of the Revenue and Taxation Code, and to amend Section 9400 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2749, as amended, Pescetti. Cargo Theft Interdiction Program Fees.

The Motor Carriers of Property Permit Fee Act authorizes the collection of, among other things, a Cargo Theft Interdiction Program Fee from all motor carriers of property, as defined. The fee is collected on a graduated scale based on fleet size. The fee is deposited as a credit in the Motor Carriers Permit Fund that was created by the act. The Cargo Theft Interdiction Program Fees are transferred to the Motor Carriers Safety Improvement Fund. These funds are available for appropriation by the Legislature to cover the costs to the Department of the California Highway Patrol to deter commercial motor vehicle cargo thefts and provide for security of highway carriers and cargoes.

This bill would remove the Cargo Theft Interdiction Program Fee from collection under the Motor Carriers of Property Permit Fee Act, and would impose the fee as a flat fee of \$3, *as specified*, on each motor vehicle required to pay a weight fee as part of vehicle registration with prescribed exemptions. The theft interdiction fee would be transferred directly to the Motor Carriers Safety Improvement Fund.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7235 of the Revenue and
2 Taxation Code is amended to read:

3 7235. The Safety Fee imposed by this chapter shall be
4 paid by all motor carriers of property, as defined in
5 Section 34601 of the Vehicle Code.

6 SEC. 2. Section 7236 of the Revenue and Taxation
7 Code is amended to read:

8 7236. (a) All funds collected by the Department of
9 Motor Vehicles pursuant to Section 7232 shall be
10 deposited in the State Treasury to the credit of the Motor
11 Carriers Permit Fund, which is hereby created. The
12 following fees shall be paid to the department:

13 (1) For-hire motor carriers of property shall pay,
14 according to the following schedule, fees indicated as
15 safety fee and uniform business license tax fee, based on
16 the size of their motor vehicle fleet.

17 (2) Private carriers of property with a fleet size of 10
18 or less motor vehicles shall pay a fee of thirty-five dollars
19 (\$35). Private carriers of property with a fleet size of 11
20 or more motor vehicles shall pay, according to the
21 following schedule, fees indicated as safety fee, based on
22 the size of their motor vehicle fleet. Any carrier that does
23 not pay a uniform business license tax fee shall not
24 operate as a for-hire motor carrier.

25 (3) A seasonal permit may be issued to a motor carrier
26 of property upon payment of fees indicated as safety fee
27 and one-twelfth of the fee indicated as uniform business
28 license tax fee, rounded to the next dollar, for each month

the permit is valid. The original seasonal permit shall be valid for a period of not less than six months, and may be renewed upon payment of a five dollar (\$5) fee, and one-twelfth of the fee indicated as a uniform business license tax fee for each additional month of operation.

Fleet Size—Commercial		Uniform
Motor Vehicles Fee	Safety Fee	Business License Tax
1	\$60	\$60
2–4	\$75	\$125
5–10	\$200	\$275
11–20	\$240	\$470
21–35	\$325	\$650
36–50	\$430	\$880
51–100	\$535	\$1,075
101–200	\$635	\$1,300
201–500	\$730	\$1,510
501–1,000	\$830	\$1,715
1,001–2,000	\$930	\$1,900
2,001–over	\$1,030	\$2,000

Notwithstanding the above fee schedule, motor carriers of property with 10 or fewer trucks shall not pay fees higher than they would have paid under the fee structure in place as of January 1, 1996. Notwithstanding Section 34606 of the Vehicle Code, fees for these carriers shall not be subject to increase by the Department of Motor Vehicles.

(b) The Department of Motor Vehicles shall transfer funds deposited in the Motor Carriers Permit Fund as follows:

(1) Funds derived from Uniform Business License Tax Fees shall be transferred to the General Fund.

(2) Funds derived from Safety Fees shall remain in the Motor Carriers Permit Fund and shall be available for appropriation by the Legislature to cover costs incurred by the Department of Motor Vehicles and the Department of the California Highway Patrol in regulating motor carriers of property pursuant to

1 Division 14.85 (commencing with Section 34600) of the
2 Vehicle Code.

3 (c) It is the intent of the Legislature that the fee
4 schedule established in subdivision (a) shall not
5 discriminate against small fleet or individual vehicle
6 operators or result in a disproportionate share of those
7 fees being assigned to small fleet or individual vehicle
8 operators.

9 SEC. 3. Section 9400 of the Vehicle Code is amended
10 to read:

11 9400. In addition to any other registration fee, there
12 shall be paid the fees set forth in this section for the
13 registration of commercial vehicles. Whenever a camper
14 is temporarily attached to a motor vehicle designed to
15 transport property, the motor vehicle shall be subject to
16 the fees imposed by this section. The camper shall be
17 deemed to be a load, and fees imposed by this section
18 upon the motor vehicle shall be based upon the unladen
19 weight of the motor vehicle, exclusive of the camper.

20 (a) For any electric vehicle designed, used, or
21 maintained as described in this section, fees shall be paid
22 for registration according to the following schedule:

23

24 Unladen Weight	25 Fee
26 Less than 6,000 lbs.	27 \$ 87
28 6,000 lbs. or more but less than 10,000 lbs.	29 266
30 10,000 lbs. or more	31 358

32 (b) For any motor vehicle having not more than two
33 axles and designed, used, or maintained as described in
34 this section, other than an electric vehicle, fees shall be
35 paid for registration according to the following schedule:

36

37 Unladen Weight	38 Fee
39 Less than 3,000 lbs.	40 \$ 8
3,000 lbs. to and including 4,000 lbs.	24
4,001 lbs. to and including 5,000 lbs.	80
5,001 lbs. to and including 6,000 lbs.	154
6,001 lbs. to and including 7,000 lbs.	204
7,001 lbs. to and including 8,000 lbs.	257

1	8,001 lbs. to and including 9,000 lbs.	308
2	9,001 lbs. to and including 10,000 lbs.	360
3	10,001 lbs. to and including 11,000 lbs.	409
4	11,001 lbs. to and including 12,000 lbs.	462
5	12,001 lbs. to and including 13,000 lbs.	513
6	13,001 lbs. to and including 14,000 lbs.	563
7	14,001 lbs. and over	616

8

9 (c) For any motor vehicle having three or more axles,
10 or for any trailer, semitrailer, pole or pipe dolly, logging
11 dolly, or other dolly designed, used, or maintained as
12 described in this section, other than an electric vehicle,
13 fees shall be paid for registration according to the
14 following schedule:

15

16	Unladen Weight	Fee
17	2,000 lbs. to and including 3,000 lbs.	\$ 43
18	3,001 lbs. to and including 4,000 lbs.	77
19	4,001 lbs. to and including 5,000 lbs.	154
20	5,001 lbs. to and including 6,000 lbs.	231
21	6,001 lbs. to and including 7,000 lbs.	308
22	7,001 lbs. to and including 8,000 lbs.	385
23	8,001 lbs. to and including 9,000 lbs.	462
24	9,001 lbs. to and including 10,000 lbs.	539
25	10,001 lbs. to and including 11,000 lbs.	616
26	11,001 lbs. to and including 12,000 lbs.	693
27	12,001 lbs. to and including 13,000 lbs.	770
28	13,001 lbs. to and including 14,000 lbs.	847
29	14,001 lbs. to and including 15,000 lbs.	924
30	15,001 lbs. and over	1,016

31

32 (d) This section shall not be applicable to any vehicle
33 that is operated or moved over the highway exclusively
34 for the purpose of historical exhibition or other similar
35 noncommercial purpose.

36 (e) (1) Except as provided in paragraph (2), in
37 addition to the fees set forth in subdivisions (b) and (c),
38 a Cargo Theft Interdiction Program Fee of three dollars
39 (\$3) shall be paid at the time of initial or original



1 registration or renewal of registration of each motor
2 vehicle subject to weight fees under this section.

3 (2) This subdivision does not apply to vehicles used or
4 maintained for the transportation of persons for hire,
5 compensation or profit, pickup trucks and utility trailers.

6 (3) *For vehicles registered under Article 4*
7 *(commencing with Section 8050) of Chapter 4, the fee*
8 *imposed under this subdivision shall be apportioned as*
9 *required for registration fees under that article.*

10 (4) Funds collected pursuant to the Cargo Theft
11 Interdiction Program shall be transferred to the Motor
12 Carriers Safety Improvement Fund.

13 (f) The fee changes effected by this section apply to
14 (1) initial or original registration on or after January 1,
15 1995, of any commercial vehicle never before registered
16 in this state and (2) to renewal of registration of any
17 commercial vehicle whose registration expires on or after
18 January 1, 1995.

19 (g) This section shall become operative on July 1, 1994.

